

REMARKS

The Rejections Under 35 USC § 102 and 103

Claims 1-3, 5 and 12 are rejected as allegedly anticipated by Wang and claims 4, 6-11, 13 and 14 are rejected as allegedly unpatentable over Wang.

Claim 1 is amended to recite that the platelet-shaped particles in the primer layer are aligned. Support for this can be found, for example, on page 5, line 30. A new claim 21 is added which is at least in part in a product by process claim format which recites the method used for aligning the platelet-shaped particles in the primer layer. Support for this can be found, for example, on page 5, line 30-31.

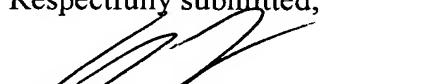
Wang teaches "platey" material in the transparent or translucent layer which is "substantially oriented at two or more different angles with respect to the surface of the layer to provide an enhanced three dimensional effect to the decorative surface covering." See column 2, lines 29-32. The method of forming the decorative surface of the reference includes "reorienting the platey material within the transparent or translucent layer at two or more different angles with respect to the surface of the layer to provide an enhanced three dimensional effect to the decorative surface covering." See column 2, lines 36-40.

Wang does not teach or suggest platelet shaped particles that are aligned. Instead Wang teaches particles that are oriented at two or more different angles, i.e., not aligned. If anything, this teaches away. Thus, there is no anticipation and no obviousness.

Reconsideration is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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